

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BIO-RAD LABORATORIES, INC. and THE
UNIVERSITY OF CHICAGO,

Plaintiffs,

v.

10X GENOMICS, INC.,

Defendant.

C.A. No. 15-152-RGA

PUBLIC REDACTED VERSION

**STIPULATION FOR AN EXCEPTION AND LIMITED EMERGENCY RELIEF FROM
THE AMENDED PERMANENT INJUNCTION**

WHEREAS, the Court ordered an Amended Permanent Injunction (D.I. 578) on August 14, 2019;

WHEREAS, the Court contemplated continuing research with historical installed Chromium instruments as outside the scope of the permanent injunction;

WHEREAS, 10X represents that Vanderbilt University has a permitted historical installed Chromium instrument and was permitted to continue research under the Amended Permanent Injunction;

WHEREAS, Vanderbilt University has been tasked by the United States government on emergency status to respond to the Wuhan coronavirus outbreak by studying the virus to develop a vaccine or cure, as explained in the letter and declaration from James E. Crowe, Director of the Vanderbilt Vaccine Center at Vanderbilt University Medical Center, attached hereto as Exhibit A (“Crowe Letter and Declaration”);

WHEREAS, Vanderbilt University has requested from 10X a second Chromium instrument to perform its obligations to the United States government and continue its ongoing research;

WHEREAS, 10X Genomics, Inc. ("10X") seeks an exception to the Amended Permanent Injunction to respond to this request for a second Chromium instrument by Vanderbilt University;

WHEREAS, 10X has agreed to comply with the royalty accrual and escrow provisions of the Historical Installed Base provisions of the Amended Permanent Injunction;

WHEREAS, 10X has agreed not to use Bio-Rad's consent offensively in any of the parties' litigation;

WHEREAS, in reliance on these representations, Bio-Rad has agreed to this arrangement on a one-time basis;

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Bio-Rad Defendant 10X, through their respective counsel of record, that 10X may provide Vanderbilt University with a legacy-compatible Chromium Instrument as an exception to the Amended Permanent Injunction.

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Dated: January 31, 2020

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CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2020, true and correct copies of the forgoing document were caused to be served on the following counsel of record as indicated:

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